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Examiner: Eric Woods
Group Art Unit: 2672
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FROM: J.B. KRAFT
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Docket No. 09-0447 Serial No. 10/728,165 Atty: J.B. KRAFT
Applicant: J.G. Twait

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Supplemental Response to Interim

Deposit Acct. No. 09-0447

Fees: Amendment ☐ Notice of Appeal ☐ Appeal Brief ☐ Other ☐

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OCT-22-05 02:11 AM JB.KRAFT

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P.02

PATENT
10/728,165

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

: Group Art Unit: 2677
: Examiner: Eric Woods
: Customer No. 32,329
: Intellectual Property
: Law Department - 4054
: International Business
: Machines Corporation
: 11400 Burnet Road
: Austin, Texas 78758

Joshua G. Twait

Serial No: 10/728,165

Filed: 12/04/2003

Title: A COMPUTER DISPLAY

SYSTEM FOR DYNAMICALLY

MODIFYING STACKED AREA LINE

GRAPHS TO CHANGE THE ORDER OR :

PRESENCE OF A SET OF STACKED :

AREAS IN THE GRAPH :

RESPECTIVELY REPRESENTATIVE :

OF THE PROPORTIONS :

CONTRIBUTED TO A TOTAL BY :

EACH OF A SET OF TIME :

DEPENDENT VARIABLES :

Date: 10/21/05 :

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence including the present Response and accompanying Transmittal letter is being transmitted via facsimile to USPTO, Group Art Unit 2677 at telephone number 571-273-8300, and to the attention of Examiner Eric Woods on 10/21/05.

JB.KRAFT
[Signature]
Signature

Date

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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SUPPLEMENTAL RESPONSE AFTER EXAMINER INTERVIEW

Applicant thanks Examiner Eric Woods and the Primary Examiner for the telephone Interview had on October 21, 2005.

The undersigned has reviewed some of the points made by Examiner and offers the following comments. For a disclosure of the claimed element of "an ordered set of areas under a line representative of the total value of said time dependent variable", the Examiner pointed to the bar graph unit 41 with portions 43 and 45 which Examiner is believed to have asserted corresponded to thematic components 34 and 35 of the corresponding linear graph. However, Applicant has read column 6, lines 6-13 describing that graph and finds that there is not such a correspondence. Portion 43 actually represents the cumulative strength of all themes i.e. both components 34 and 35 while portion 45 represents the cumulative strength of themes not represented in the illustration. Accordingly, it is not seen what the bar graph would contribute to the issue of obviousness.

Also, in the interview, Applicant believes that Examiner noted Fig. 14 as described in column 25 of the modifying Rao reference. There are two "columns" in the illustrative spreadsheet represented by variable linear graphs in Fig. 4: elements 62 and 64. In element 62, the batting averages of baseball players are shown numerically in the spreadsheet are each graphically represented in a corresponding variation in a linear graph. In element 64, the career batting averages of baseball players are sorted in the spreadsheet in descending numerical order, and thus are graphically represented in a linear graph which correspondingly descends. The pertinence is not seen as it is not suggestive of any manipulation of the graph itself. It is not clear from the disclosure of Rao but if the

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Examiner is asserting that there is a reordering from the graph 62 to the graph 64, it is not the graph itself which is being reordered. In Rao, any changes in the graphs are the result of changes in the ordering of the of the columns and rows of the spreadsheet itself.

Applicant has also read the description of Fig. 8, "lens" function in Rao, columns 21 and 22, and still can find anything suggestive of the manipulation by reordering and/or hiding contributing of a time dependent cumulative graph. The best interpretation that can be accorded to Rao is still that it discloses a specific implementation in which graphical images may be rendered in tables of columns and rows for better defined presentation. While the columns and rows may be manipulated and reordered, nothing is suggested about the reordering and manipulation of the graphical images themselves of Rao. It is still submitted that the Rao teaching would lead away from the present invention. Rao converts the visual graphic images into tables because his graphics can not be manipulated or reordered. Thus, the suggestion from Rao is that if you are to manipulate and reorder graphic images, you convert such images to a table format. This leads away from the present invention where the graphic images themselves are manipulated.

The rejection still uses Applicant's disclosure as a guideline, and the picks relatively vague and obscure elements from the lengthy and cumbersome Rao reference to combine with the basic elements of Havre solely based on Applicant's own teaching.

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As Applicants suggested in the Interview, if the amendment would result in allowance, Applicants would be willing to amend the independent claims so that the stacked linear graph structure of claim 2 would define the claim coverage.

Respectfully submitted,

JB Kraft 10/21/05
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